

## REMARKS

### I. Introduction

Claims 11-30 are pending in the application. In the Office Action dated Aug. 29, 2006, the Examiner rejected claims 11-13, 15, 17-21, 24, and 26-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,850,435 ("Devillier") in view of U.S. Pat. No. 6,633,634 ("Crockett"). Further, claims 14, 16, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Devillier in view of Crockett and U.S. Pat. No. 5,533,106 ("Blumhardt"). Applicants respectfully request reconsideration and withdrawal of the rejections of the claims in view of the following remarks.

### II. 35 U.S.C. § 103(c)(1)

Under 35 U.S.C. § 103(c)(1), subject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of 35 U.S.C. § 102, shall not preclude patentability under 35 U.S.C. § 103(a) where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

#### A. Crocket May Only Qualify as Prior Art Under 35 U.S.C. § 102(e)

Crocket was filed on Oct. 22, 1999, as a continuation-in-part of U.S. Pat. App. 09/044,574 (now U.S. Pat. No. 6,219,414), filed **March 19, 1998**. The current application is a continuation application of U.S. Pat. App. No. 09/122,165 (U.S. Pat. No. 6,178,232), filed **July 24, 1998**. While Applicants do not admit that Crocket is prior art to the current application, at most, Crocket may only qualify as prior art under 35 U.S.C. § 102(e).

#### B. Crocket and the Current Application Were Owned by Ameritech Corporation at the Time of the Invention

U.S. Pat. App. Nos. 09/044,574 and 09/122,165 were entirely owned by Ameritech Corporation at the time the invention of the current application was made. Evidence that U.S. Pat. App. No. 09/044,574 was assigned to Ameritech Corporation may be found at Reel/Frame 009259/0768 and evidence that U.S. Pat. App. No. 09/122,165 was assigned to Ameritech Corporation may be found a Reel/Frame 009538/0172.

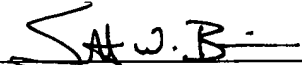
### **III. The Rejections to the Claims Cannot Be Maintained**

Because Crocket may only qualify as prior art under 35 U.S.C. § 102(e), and U.S. Pat. App. Nos. 09/044,574 and 09/122,165 were entirely owned by Ameritech Corporation at the time the invention of the current application was made, the rejection to claims 11-13, 15, 17-21, 24, and 26-28 under 35 U.S.C. § 103(a) as being unpatentable over Devillier in view of Crockett, and the rejection to claims 14, 16, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Devillier in view of Crockett and Blumhardt, cannot be maintained. Applicants respectfully request withdrawal of the rejections to the claims.

### **IV. Conclusion**

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

  
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